

Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Official

LST  
6-1-02  
enteredRECEIVED  
JUN 11 2002

<b>TRANSMITTAL FORM</b> (To be used for all correspondence after initial filing)	Serial No.	09/626,577
	Filing Date	July 27, 2000
	First Named Inventor	Terrence A. Tomkow
	Group Art Unit	Not Yet Assigned
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number RPOST-57228

## ENCLOSURES (check all that apply)

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment (1 <sup>st</sup> Preliminary)<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing<br>Parts under 37 CFR<br>1.52 or 1.53 | <input type="checkbox"/> Assignment Papers<br>(for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> To Convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Terminal Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosure(s)<br>(please identify below):<br><b>POSTCARD</b> |
|---|---|---|

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	FULWIDER PATTON LEE & UTECHT, LLP ELLSWORTH R. ROSTON, ESQ., REG. NO. 16,310
Signature	<i>Ellsworth R. Roston</i>
Date	June 11, 2002

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:		June 11, 2002
Typed or printed name	ELLSWORTH R. ROSTON, ESQ., REG. NO. 16,310	
Signature	<i>Ellsworth R. Roston</i>	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are requested to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Received from &lt;310 824 9696&gt; at 6/11/02 3:08:48 PM [Eastern Daylight Time]

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0561-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2002**

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

**Complete if Known**

Application Number	09/626,577
Filing Date	July 27, 2000
First Named Inventor	TERRENCE A. TOMKOW, Ph.D.
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	RPOST-57228

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number	06-2425
Deposit Account Name	Fulwider Patton, et al.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above identified deposit account
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below		Fee Paid
		Fee Code	Fee (\$)	
Independent Claims	-20** =			
Multiple Dependent	-3** =			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	260	204	140	Multiple dependent claim, if not paid	
108	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
138	130	138	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	820	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	480	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
178	740	279	370	Request for Continued Examination (RCE)	
169	800	169	800	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

**SUBMITTED BY**

Name (Print/Type)	ELLSWORTH R. BOSTON	Registration No. (Attorney/Agent)	16,310	Complete (if applicable)
Signature	<i>Ellsworth R. Boston</i>	Telephone	310-824-5555	Date
				06-11-02

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

TERRENCE A. TOMKOW, Ph.D.

Application No. 09/626,577

Filed: July 27, 2000

For: SYSTEM AND METHOD FOR  
VERIFYING DELIVERY AND  
INTEGRITY OF ELECTRONIC  
MESSAGES

Date: June 11, 2002

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with sufficient postage as First Class Mail in an envelope addressed to: Box: Amendment, COMMISSIONER FOR PATENTS, WASHINGTON D.C. 20231 on June 11, 2002.



Ellsworth R. Roston, Reg. No. 16,310  
Attorney for Applicant

[240566.1]

June 11, 2002  
Los Angeles, CA 00045

COMMUNICATION TO U.S. PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant's newly appointed attorney, Ellsworth R. Roston prepared a first preliminary amendment in this application and submitted it to Dr. Terrence A. Tomkow, the applicant, on June 14, 2001 for approval before filing the preliminary amendment in the U.S. Patent and Trademark Office (USPTO). The first preliminary amendment included new claims 84-183. Applicant's newly appointed attorney, Ellsworth R. Roston, apparently never heard from Dr. Tomkow on this matter but proceeded in the belief that the first preliminary amendment had been filed in the USPTO.

*U.S. Serial No. 09/626,577*  
*Attorney Docket No. RPOST-57228*

*PATENT*

Applicant's newly appointed attorney, Ellsworth R. Roston, thereafter submitted a second preliminary amendment in this application to the USPTO on or about April 2, 2002 and a third preliminary amendment to the USPTO on or about May 30, 2002.

On June 6, 2000, Ms. Livinia Johnson ((703) 308-5229) called Ms. Donna Colon, secretary to Mr. Roston, and indicated to Ms. Colon that the USPTO did not have a copy of the first preliminary amendment. In checking the files, Ms. Colon and Mr. Roston noted that the first preliminary amendment was not filed in the USPTO. Applicant is accordingly filing a copy of the first preliminary amendment in the USPTO. Included with the first preliminary amendment are Exhibits A, B and C.

In addition to filing the first preliminary amendment in the USPTO, applicant is submitting a copy of this amendment directly to Ms. Johnson for inclusion of this amendment in the file at the USPTO. Applicant is also submitting directly to Ms. Johnson a copy of the third preliminary amendment. Applicant is submitting copies of the first and third preliminary amendments directly to Ms. Johnson since Ms. Johnson apparently indicated to Ms. Colon in the

*U.S. Serial No. 09/626,577*  
*Attorney Docket No. RPOST-57228*

*PATENT*

telephone conversation on June 6, 2002, that an Office Action would be shortly prepared by the Examiner in this application and submitted to applicant's attorney.

Respectfully submitted,  
FULWIDER PATTON LEE & UTECHT

By: Ellsworth R. Roston  
Ellsworth R. Roston, Reg. No. 16,310  
Attorney for Applicants

HOWARD HUGHES CENTER  
6060 Center Drive, Tenth Floor  
Los Angeles, California 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24,201

ERR:dmc:240566.1

**FULWIDER • PATTON**  
FULWIDER PATTON LEE & UTECHT, LLP  
HOWARD HUGHES CENTER  
6060 CENTER DRIVE, TENTH FLOOR  
LOS ANGELES, CALIFORNIA 90045  
(310) 824-5555  
(310) 824-9696 (FAX)

**FACSIMILE TRANSMITTAL SHEET**

DATE: June 11, 2002

TO: Ms. Livinia Johnson

FAX NO.: (703) 308-5229

COMPANY: USPTO

PHONE NO.: (703) 746-7239

FROM: Donna Colon

CLIENT/MATTER NO.: RPOST-57228

EXTENSION: 702

SECRETARY:

TOTAL PAGES INCLUDING COVER SHEET:

ORIGINALS WILL FOLLOW BY MAIL:

YES



NO

**COMMENTS/MESSAGE:**

Re: U.S. Patent Appln. Ser. No. 09/626,577  
Entitled: SYSTEM AND METHOD FOR  
VERIFYING DELIVERY AND INTEGRITY  
OF ELECTRONIC MESSAGES  
Filed: July 27, 2000  
Inventor: Terrence A. Tomkow, Ph.D.  
Our Docket No.: RPOST-57228

Livinia:

Attached are copies of the First and Third Preliminary Amendments that we discussed on 6/10/02. We will be filing (by mail) the First Preliminary Amendment today. If you have any questions, please feel free to call me @ my direct line (310) 242-2702. Thanks for everything!!

Donna

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, OR OTHERWISE EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.